

United States District Court, Eastern District of Washington
Magistrate Judge James A. Goeke
Yakima

**USA v. MARCELO ANTHONY
BENSON**

Case No. 1:22-CR-2043-SMJ-1

Yakima Video Conference (JAG @ Spokane; Counsel and Defendant @ Yakima)
The Defendant agreed to appear via video conference.

Arraignment/Initial Appearance on Indictment:

06/10/2022

- | | |
|--|--|
| <input checked="" type="checkbox"/> Pam Howard, Courtroom Deputy [Y]
<input checked="" type="checkbox"/> Melissa Orosco, Courtroom Deputy [S]
<input checked="" type="checkbox"/> Erica Helms, US Probation / Pretrial Services Officer (tele)
<input checked="" type="checkbox"/> Defendant present <input checked="" type="checkbox"/> in custody USM <input type="checkbox"/> out of custody | <input checked="" type="checkbox"/> Todd Swensen, US Atty
<input checked="" type="checkbox"/> Nick Mirr, Defense Atty
<input checked="" type="checkbox"/> Interpreter NOT REQUIRED
<input type="checkbox"/> Defendant not present / failed to appear |
|--|--|

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- | | |
|--|---|
| <input checked="" type="checkbox"/> USA Oral Motion for Detention
<input type="checkbox"/> USA not seeking detention
<input checked="" type="checkbox"/> Financial Affidavit (CJA 23) filed
<input checked="" type="checkbox"/> The Court will appoint the Federal Defenders
<input type="checkbox"/> Based upon conflict with Federal Defenders, the Court will appoint a CJA Panel Attorney
<input type="checkbox"/> PRE-Trial Services Report ordered

<input type="checkbox"/> AO Advice of Penalties/Sanctions filed | <input checked="" type="checkbox"/> Rights given
<input checked="" type="checkbox"/> Acknowledgment of Rights filed
<input checked="" type="checkbox"/> Defendant received copy of charging document
<input checked="" type="checkbox"/> Defendant waived reading of charging document
<input type="checkbox"/> Charging document read in open court
<input type="checkbox"/> POST Pre-Trial Services Report ordered |
|--|---|

REMARKS

Defendant appeared and was assisted by counsel and advised of their rights and the allegations contained in the charging document.

The Defendant acknowledged to the Court that their true and correct name is: MARCELO ANTHONY BENSON.

“Not guilty” plea entered.

Discovery to be provided pursuant to the local rule on discovery.

The Court ordered:

1. Defendant shall be detained by the U. S. Marshal until further order of the Court.
2. As required by Rule 5(f), the United States is ordered to produce all information required by *Brady v. Maryland* and its progeny. Not doing so in a timely manner may result in sanctions, including exclusion of evidence, adverse jury instructions, dismissal of charges, and contempt proceedings. Order forthcoming.

Detention Hearing:
Waived by Defendant;

USA's Motion for Detention is *granted*.
Subject to right to return before the Court should circumstances change.